

REMARKS/ARGUMENTS

This is a Response to the Office Action mailed April 14, 2006, in which a three (3) month Shortened Statutory Period for Response has been set, due to expire July 14, 2006. Thirty-eight (38) claims, including five (5) independent claims, were paid for in the application. Claims 5-6, 23, 25 and 27-28 are currently amended. Claims 21-22, 24, 26 and 29-38 are canceled. No new matter has been added to the application. The Director is authorized to charge any fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090. Claims 1-20, 23, 25 and 27-28 are pending.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 5 and 6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the Applicant regards as his invention. Specifically, the Examiner contends that the phrase “frequently accessed” is a relative term which renders the claims indefinite. Claims 5 and 6 were noted as being allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

Applicants have eliminated the phrase “frequently accessed” from claims 5 and 6 in order to prevent further delay in obtaining some enforceable rights, without prejudice to pursuing claims using identical or similar language by way of one or more continuing applications. Applicants submit that claims 5 and 6, as amended, particularly point out and distinctly claim the subject matter which the Applicants regard as the invention, and respectfully request that the rejection of claims 5 and 6 be withdrawn.

Rejections Under 35 U.S.C. § 102(e)

Claims 21, 22, 24, 26, 29 and 31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0078514 (hereinafter referred to as “Kung”). Claims 23, 25, 27 and 28 are noted as being allowable, if rewritten in independent form including the limitations of the base claim and any intervening claims.

Claims 21, 22, 24, 26, 29 and 31 are canceled and claims 23, 25, 27 and 28 are rewritten in independent form including limitations of the base claim and any intervening claims, in order to prevent further delay in obtaining some enforceable rights, without prejudice to

pursuing claims using identical or similar language by way of one or more continuing applications.

Claims 32-38 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,835,298 (hereinafter referred to as "*Edgerton*").

Claims 32-38 are canceled in order to prevent further delay in obtaining some enforceable rights, without prejudice to pursuing claims using identical or similar language by way of one or more continuing applications.

Rejections Under 35 U.S.C. § 103(a)

Claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kung* in view of *Stobbs* et al. (U.S. Patent Application Publication No. 2004/0039871) (hereinafter referred to as "*Stobbs*").

Claim 30 is canceled in order to prevent further delay in obtaining some enforceable rights, without prejudice to pursuing claims using identical or similar language by way of one or more continuing applications.

Conclusion

Applicants thank the Examiner for indicating the allowable subject matter of claims 1-20, 23, 25 and 27-28. Overall, the cited references do not singly, or in any motivated combination, teach or suggest the claimed features of the embodiments recited in independent claims 1, 23, 25, 27 and 28, and thus such claims are allowable. Because the remaining claims depend from the allowable independent claims, and also because they include additional limitations, such claims are likewise allowable. If the undersigned attorney has overlooked a relevant teaching in any of the references, the Examiner is requested to point out specifically where such teaching may be found.

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable. Applicants, therefore, respectfully request that the Examiner reconsider this application and timely allow all pending claims. Examiner Krofcheck is encouraged to contact Mr. Abramonte by telephone to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any

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informalities in the claims, he is encouraged to contact Mr. Abramonte by telephone to expediently correct such informalities.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

A handwritten signature in black ink, appearing to read 'Frank Abramonte', written over a horizontal line.

Frank Abramonte
Registration No. 38,066

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
(206) 622-4900
Fax: (206) 682-6031

(FA:lrw) 794292_1